

DOCUMENT RESUME

ED 153 894

SC 010 803

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 TITLE Georgia and the United States Constitution 1787-1789.
 INSTITUTION Georgia Commission for the Bicentennial Celebration, Atlanta.; Georgia State Dept. of Education, Atlanta.
 PUB DATE 77
 NOTE 23p.
 EDRS PRICE MF-\$0.83 HC-\$1.67 Plus Postage.
 DESCRIPTORS American Indians; Colonial History (United States); *Constitutional History; Federal Government; *Federal State Relationship; History; *History Instruction; Instructional Materials; Revolutionary War (United States); Secondary Education; Social Studies Units; Southern States; State Government; *State History; Teaching Guides; United States History
 IDENTIFIERS Constitutional Convention; Constitution of the United States; *Georgia

ABSTRACT

This pamphlet on revolutionary Georgia is one of a series designed for use in the state's public schools. The objective is to present a clear, concise picture of Georgia's history during the American Revolution. The first and major part of the text presents an historical summary. It describes how Georgia was an early and strong supporter of the Constitution of the United States because it needed national support to protect its land holdings from the Indians, Spanish, and French. Under the Articles of Confederation, Georgia received little help. Wanting a strong central government, Georgia readily sent four delegates to the Constitutional Convention in Philadelphia in 1787. The four delegates, more interested in dealing with the Indian menace and the security of the state than with ideas and theories, stayed for the signing of the Constitution in September. One month later, the Georgia state legislature met in special session to prepare for war with the Indians. A bill calling for a convention to ratify the Constitution passed with no dissent. The bill was regarded as a measure to get national help in the fight against the Indians. On January 2, 1788, anxious to get the security a strong national government could provide, Georgia became the fourth state to ratify the Constitution. The second part of the pamphlet provides a teacher's guide for teaching this unit which focuses on Georgia's role in the Constitutional Convention. The guide outlines objectives, suggests a time frame, and lists class activities.

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"200 Years of Georgia Days to Remember"

Georgia and the United States Constitution 1787-1789

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Editors' Note:

One of the early concerns of the Georgia Commission for the National Bicentennial Celebration was the lack of material on Revolutionary Georgia available for use in the state's public schools during the bicentennial years. As a result, one of the first projects of the Commission was the preparation of a series of pamphlets on the American Revolution in Georgia aimed specifically at public school use. With the cooperation of the Georgia Department of Education, this project has become a reality. Thirteen pamphlets are scheduled to be published between 1974 and 1978.

Our purpose in publishing these pamphlets is to present a clear, concise picture of Georgia's history during these important days. We hope that our efforts will encourage students' interest and add to their knowledge of Georgia's activities during the American Revolution.

Kenneth Coleman
Milton Ready

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The desire to be secure is one of the basic drives of mankind. This urge is not confined to any particular time or place, and so it should not be surprising that the desire for security has played a large role in the historical development of the people of Georgia.

When we think of the beginnings of our nation we think of the original 13 colonies. We know that Georgia was the last of the 13 to be founded, but we often forget how significant it was that 126 years intervened between Jamestown — Virginia's establishment in 1607—and the settling of Savannah, Georgia, in 1733. Although the relationship between Georgia and the other colonies was not close, the fact that the others were there and solidly established was comforting to early Georgians.

Not only were Georgians secure because of the colonists to their north, but they were made even more comfortable because of their relationship to Great Britain. Georgia, unlike the other 12, was conceived when Britain's role in the world was far better established and when the British situation at home was much more stable. Yet, in part, the story of early Georgia, which always sought security for herself, was a paradox. One major reason for the colony's establishment was to protect the southern British American frontier from Spanish Florida, French Louisiana and unfriendly Indians. Thus, security, whether for herself or others, was a vital concern for Georgia from her beginnings.

For the first 20 years Georgia was securely in the hands of the Trustees. And though Georgians may have bridled under their restrictions and eagerly anticipated the end of the Trusteeship, they were safe — safe in the sense that someone was responsible for them. Finally, Georgia became a royal province like her neighbors but was never really happy in the new arrangement until 1760, when the firm hand of Governor James Wright began to give to the colony the stability and

security needed to develop its resources. However, shortly after the administration of Governor Wright the Great War for the Empire ended in 1763, and serious problems began to develop between Britain and her colonies.

These postwar problems were at first viewed in a different perspective by Georgians. They had had enough trouble with their Spanish neighbors in Florida prior to 1763 to appreciate the fact that, as a result of the war and the British victory, Florida was British. The colony's 30-year experience with the Indians had also taught Georgians to appreciate the British presence.

With peace made with the foreign powers in 1763, Georgia's southern and western frontiers were for the moment quiet, and the business of growth and development proceeded. Yet, year by year for 12 years, bad feeling steadily increased between colonies and mother country. Most Georgians, fearing interference with the colony's progress, probably wanted to avoid a role in this quarrel, but there was the matter of security. Except for a few scattered places, Georgia had closer ties to England than to most of the other colonies; however, her sister colonies, physically closer than the mother country, were beginning to resist British rule. Georgians reluctantly chose sides. One has to move all the way to the shooting war in 1775 before finding very many Georgians willing to join the radical camp against Britain.

By then dependence upon the mother country had obviously become untenable, and Georgia embraced the Revolution, weakness being a major reason. As it turned out, the Georgians had made the right choice. Independence was achieved; and after the states with territorial claims northwest of the Ohio relinquished those claims, Georgia became physically the largest state in the union. Indeed, Georgia's territory was as big as all the states north of the Mason-Dixon line put together. To own so much, to keep it, develop it and prosper from it was a frightening responsibility. It was questionable



Map of the United States by Abel Buell, 1784. Courtesy, Georgia Department of Archives and History



whether Georgia could rise to the challenge. Its small population, only about three percent of the nation's total population, would have trouble maintaining so vast an amount of territory.

During the first years of her sovereignty it appeared that Georgia could survive alone. There was remarkable commercial development after the peace of 1783, and the value of Savannah exports soon doubled. Between 1784 and 1787 the number of vessels clearing the port climbed from 144 to 354. Crop production soared, and the amount of frontier lands taken up sharply increased. The frontier population jumped from 15,000 to 42,000 in less than 10 years.

But some of the very examples of Georgia's success were the causes of serious trouble and undermined the security necessary for continued prosperity. The rapid movement of population to the state's frontiers stirred up the Indians. Within the borders of the huge state, five-sixths of the territory was occupied by Indians. Naturally, they were determined to hold their lands, but should they need further urging, the Spanish—along the Mississippi, where they had been for 20 years, and once more in possession of Florida—were ready to egg them on. There were also internal threats to stability, such as bickering between old settlers and newcomers to the state.

When decision time came, Georgia's tradition had been to opt for security. A government for the union with sufficient power was Georgia's best road to security. Georgians reached this conclusion alone, though urged toward it by outside help. Charleston was of considerable influence on Georgia, and it was very nationalist-minded. Yankee boats were in nearly all the state's rivers giving Georgians regular contact with the outside world, and there were the immigrants from other states who poured in during the 1780's. Beyond these influences, it should be remembered how difficult it had been for Georgia to break the ties binding her to the strength of the British Empire. A restoration

of that kind of strength would be comforting.

Georgia was quite willing to strengthen considerably the Articles of Confederation, and frequently there appeared in the laws adopted by the state during these years the clause, "desirous of adopting every measure which can tend to promote the interest of the United States." Yet it does not appear that theoretical nationalism prompted Georgia's wish to strengthen the Articles. Rather, the motivation was the practical needs of the state. The record seems to indicate that Georgia's major reason for wanting a strong central government was the ever-present Indian threat.

Only a half-dozen years elapsed between the adoption, in 1781, of the first constitution for the United States, the Articles of Confederation, and the writing, in 1787, of the second one, the Federal Constitution, which we have to this day. The government under the Articles was not yet four years old before there was talk of revising it considerably or replacing it altogether. From the outset the small and weak states — Rhode Island being an exception — were the least enthusiastic about the Confederation government, even though they had equal votes with the larger. These states, such as Georgia, were the ones eager to strengthen Congress; and later, when the new Federal Constitution provided for a very strong government, they enthusiastically supported it even though it did not provide for equal representation of the states.

Georgia had not responded to Virginia's invitation to send delegates to Annapolis in September 1786 to consider the country's trade. Only five states sent delegates; however, two of the men present, James Madison and Alexander Hamilton, were determined not to let die any movement toward strengthening a union which they considered critically weak. They wanted all the states to meet in convention for the purpose of strengthening the government, and the Annapolis Convention made this proposal to the states, and to Congress. Congress acted up on the proposal five months



later and called upon the states to send representatives to Philadelphia in May 1787. Meanwhile, Georgia had seen the Confederation grow weaker and the help the state might expect from it disappearing; she now readily responded to the invitation to send delegates to Philadelphia. She was the fifth state to act.

At the time the legislature selected Georgia's delegates to the Philadelphia Convention, only three areas of the state had been settled—the Atlantic coast-Savannah area, the Savannah River valley and the region west and northwest from Augusta for about 80 miles. The most important legislative leaders of the 1780's came from the counties of Chatham, Liberty, Burke, Richmond and Wilkes; and the important political factions were the Walton faction, the McIntosh faction and the Georgia Newcomers. The delegates which the legislature selected were representative of each of the three geographical areas and of the three political factions. This kind of "cross-section" representation was also true of the other states at Philadelphia. The delegates favoring a stronger union were clearly in a majority, however.

On February 10, 1787, the Georgia legislature named six men to represent the state in the convention that was scheduled to begin its work in Philadelphia on May 14. However, very few were present in Philadelphia on May 14, and it was May 25 before delegates from seven states arrived. Augusta's William Few of the Newcomer faction represented Georgia in the opening session; but the state could not be officially represented that day since the delegates' instructions required that at least two representatives be present. Six days later Savannah's William Pierce of the Walton faction took his seat; and the next day, June 1, William Houstoun, also of Savannah but associated with the McIntosh faction, arrived. Ten more days passed before Georgia's most prominent delegate, Abraham Baldwin, took his seat. He was from Wilkes County or Augusta and of the Newcomer faction. These four delegates were also the state's

members of the Continental Congress. Pierce and Few had only recently been present at its sessions in New York City. The two delegates appointed who were not members of Congress—George Walton of Augusta and head of the Walton faction and Nathaniel Pendleton of Glynn County and connected with the McIntosh faction—never attended.

William Few had been born near Baltimore in 1748 to a poor Maryland farm family of Pennsylvania origin. When he was 10 the family moved to North Carolina, where he grew into manhood working on the farm and as a bricklayer. After one of his brothers was hanged as a result of the Regulator agitation of 1771, Few moved to the upcountry of Georgia where he became a leader of his fellow farmers. He was elected to the Georgia Convention of 1776 and to the legislature; he served on the executive council and as a commissioner to deal with the Indians. Few was also a militia officer in the guerilla warfare against the British. This able man somehow found time to study law and pass the bar. Although not of the socially elite, Few was well thought of in Georgia and was twice selected as a delegate to the Congress in New York. This self-made man eventually became moderately wealthy, owning at the time of the convention 1,150 acres in Wilkes County and another 1,150 acres in Franklin County, all of which were largely undeveloped.

Georgia's second delegate to arrive, William Pierce, seems not to have enjoyed as much economic success as Few. Indeed, he was debt-ridden while in Congress in 1786, and during the time he served as a member of the Constitutional Convention. Very little of Pierce's life before the Revolution is known except that he was born around 1740, probably in Georgia but possibly in Virginia. The first definite glimpse of him comes in Savannah in 1776, and he appears to be of the artisan class—at least he owned no land and no slaves. In writing to Randolph about appointments of the states to the convention, Madison spoke of "Major Pierce, formerly aid to General Greene." Pierce himself said that he served



with "honor and propriety" in the War for Independence. Upon his discharge in 1783 he went into the import-export business, organizing the firm of Pierce, White and Call which, however, did not survive the year. A fortunate marriage enabled him to start over with a new firm, William Pierce and Company, financed by his wife's dowry. Pierce had some success, but this operation also came to failure while he was attempting to serve Georgia in both Congress and the convention. Having also served in the state legislature, he said he was in the convention because of his own "ambition" and the "flattering opinion" of friends. But it was not the elements of his career that guaranteed Pierce, a man with a sense of humor, a permanent niche in the history of his country. Rather, it was the unique character sketches which this man wrote, giving us a glimpse of the delegates as their contemporaries perceived them. He was also one of very few delegates who kept notes on the debates, although only for a week.

Pierce was not too kind in his sketch of Georgia's third delegate to arrive in Philadelphia, William Houstoun. He wrote: "Nature seems to have done more for his corporeal than mental powers. His Person is striking, but his mind very little improved with useful or elegant knowledge." Houstoun, probably born in Savannah and certainly raised there, had had advantages of wealth, position and education not enjoyed by Pierce. Although coming from a family among whose members were high royal officials in Georgia and Loyalists, Houstoun was an active patriot. He had decided to cast his lot with the patriots while still a law student at London's Inner Temple. He was the richest of the Georgia delegation, though he lacked liquid capital and held no public securities. He had purchased confiscated loyalist estates after the war, one having belonged to his relative, Sir Patrick Houstoun; yet, this young, land-poor gentleman who had served in Congress since 1784 seemed not to have been too concerned by his financial situation.

Georgia's fourth and last delegate to arrive was

Courtesy, Georgia Department of Archives and History



William Few

considered the "ablest man in the Georgia delegation." This "learned, good-humored, serene bachelor" was 33-year-old Abraham Baldwin, born and educated in Connecticut. He was graduated from Yale in 1772, was licensed to preach in 1775 and served four years as a tutor at his alma mater. During the War for Independence he was a chaplain with the army from 1779 to 1783. In 1783 Baldwin was admitted to the Connecticut bar, having studied law while in the army. Shortly thereafter he moved to Georgia where there were many other newcomers in the Piedmont area west of Augusta. Before two years had passed he was elected to represent his district in the Georgia legislature and Georgia in Congress. In the legislature he was particularly noted for his efforts to develop a system of education for the state and is



regarded as the founder of the University of Georgia. President Ezra Stiles of Yale wrote in his diary on December 9, 1787, that Baldwin was "a patriot, an enlightened, sensible, learned man."

Of the Georgians in the Constitutional Convention, Baldwin was the most regular in attendance from his arrival on June 11 until the convention was over. Whether Houstoun attended regularly during the first full month is uncertain; however, it is clear that he was present during July until the twenty-sixth. After that date he probably did not attend. Pierce, on the other hand, was regularly present in June, but after he left for Congress early in July he probably did not return to Philadelphia. During the August and September meetings when Houstoun and Pierce were absent, Few was present except for the first week of August when he was in Congress. Thus, after the convention really got underway, Georgia's quorum of two was maintained throughout except for a day or two.

Textbook writers almost always make some generalizations about the 55 men who served at the Federal Convention. Comment is made on the number who were college educated; which ones had been college presidents, professors or teachers; who had studied law at the Inns of Court in London; who were the lawyers, planters and businessmen; which ones had been members of Congress and of their states' legislatures, and the youthfulness of the convention as a whole. In nearly all of these categories Georgia's delegates are well represented. Yet, there seems to be general agreement, whether justified or not, that Georgia's delegation was probably the least distinguished. Professor Albert B. Saye concluded that "When judged by either the number, length, or content of their speeches, Georgia's delegates played little part in the debates of the Convention . . ." A few of the convention's leaders spoke over 100 times, whereas Baldwin, who spoke more than the other Georgians, made only eight speeches, each of which was quite short. Houstoun spoke seven times, Pierce four and Few not at all.

One of the foremost American historians, Samuel Eliot Morison, concluded that the delegates at Philadelphia "were chiefly interested in political technique — that is in the organization of the government, and the distribution of powers." And he observed that the "temper of the Convention . . . was realistic and objective, rather than idealistic and theoretical." Certainly Georgia was more interested in dealing with present realities and practical solutions — the Indian menace and the safe and secure development of the state — than with ideas and theories.

For some, and the Georgians were probably included, to work further with the Articles was wasted effort. The nationalists, or large state group, were ready at the opening of the convention with

Courtesy, Georgia Department of Archives and History



Abraham Baldwin



a plan for a national government. On May 29, Edmund Randolph of Virginia presented it. This plan called for a national executive, a national judiciary and a national legislature of two houses, each having its membership based upon proportional representation. The proposal regarding the legislature was adopted on June 9, "Georgia's vote being decisive."

Four days later William Paterson of New Jersey introduced the so-called small state plan, which in most respects was the Articles over again; it provided for equality of the states in the legislature. Although the controversy appeared to be large states versus small states, when the heart of the division was correctly perceived, historian Morison claims, the troubles were really sectional and economic. Thus, a major concern was what will be the voting strength for each delegate's section or interest.

The Paterson plan was shelved on June 19; yet, in this proposal had been the germ of a doctrine that was to become the bedrock of the American system: "that the Constitution is supreme law, that acts contrary to it are void, and that the courts are the proper agents to enforce it." The Virginia plan was taken up again and became the basis for debate, the biggest controversy continuing to be the issue of representation in the national legislature. Should proportional representation be the rule for both houses of the proposed two-house legislature, and should the number of representatives derive from population or wealth? Or should one house represent wealth or property and the other population? Should each state have equal representation in each house? Should both houses, no matter what their makeup, be chosen in the same way? Who would decide the qualifications of the voters? Should there be property/wealth qualifications for the voters and for the members of the national legislature? There seemed to be no end to the questions, and not much, if anything, could be accomplished until the basis of representation was settled.

At this crucial stage, William Pierce delivered an eloquent speech:

"The great difficulty in [the Confederation] Congress arose from the mode of voting. Members spoke on the floor as state advocates, and were biased by local advantages. What is federal? No more than a compact between the states; and the one heretofore formed is insufficient. We are now met to remedy its defect, and our difficulties are great, but not, I hope, insurmountable. State distinctions must be sacrificed so far as the general government shall render it necessary without, however, destroying them altogether."

Pierce's speech indicated that his primary concern was for the good of the nation rather than for the particular interests of the South and Georgia. Luther Martin of Maryland, however, was not sure that a stand such as Pierce's was unselfish; he claimed that Georgia favored the plan of the large states because, though at the moment among the smallest of the small population-wise, she expected shortly to fill up her territory, which was the most extensive in the union. In the same vein, General Nathanael Greene had written a year earlier that "the State has been of little importance to the union, but its great increase of tracts and population will soon place it among the first in the Confederation." The record seems clear that Georgia's delegates were eager to act in the best interest of the state's security, but this did not mean Georgians would not compromise to insure a strong national government that could guarantee that security. Indeed, Pierce himself, three weeks before his speech on biases for local advantages, had advocated "an election by the people as to the first branch, and by the states as to the second branch; by which means the citizens of the states would be represented both *individually* and *collectively*." However, this method of election which he suggested, and which was ultimately adopted, did not preclude proportional representation in both houses. Georgia's immediate advantage would have



been provision for equal representation in both houses provided, of course, that a strong national government could have been forged with such a requirement. But her long range advantage, should the anticipated growth of the state take place, would be proportional representation. Baldwin was sorry that a decision regarding representation had to be made before there was a determination of the powers the representatives would have. Nevertheless, he believed the second legislative branch (the Senate) should represent property and "therefore some reference ought to be had to the relative wealth of their constituents . . ."

The debate had gone on throughout June and in all that time Georgia had stood with the large states for proportional representation despite her small population. A solution had to come or else the convention would break up. On Monday morning, July 2, the question was put as to whether each state would have equal representation in the upper house. This motion had been brought in the Friday before. Baldwin, at the same time he had spoken for representation of property in the second branch, had said he would vote against it. Connecticut, New York, Delaware and Maryland voted for the motion; Massachusetts, Pennsylvania, Virginia, North Carolina and South Carolina voted against it.

According to Charles Warren, historian of the Constitution, the absence of two men that Monday morning changed history. They were "William Pierce . . . (who) had gone to New York to attend Congress . . . (and) Daniel of St. Thomas Jenifer of Maryland (who) was late . . . Both were opposed to equality of representation. Had Pierce been present . . . Georgia . . . would have been with the large States. Had Jenifer (been there) . . . Maryland . . . would have been divided . . ." But since Jenifer was late, Martin cast Maryland's vote in the affirmative. Baldwin either changed his mind over the weekend or else changed it when he saw how the vote was going on Monday morning and voted for equal representation. Houston continued to support proportional representation and voted *no*.

Thus, Georgia was divided and her vote was not counted. Martin said that "Baldwin did not change . . . because of any change in his opinions, but because he was convinced that the small states would withdraw . . . before they would yield on this point." Historian John Fiske said Baldwin's action probably kept the convention from breaking up, and Americans should give "All honour to his memory!" Now a compromise measure was necessary, and Baldwin was named to the committee to come up with one. Georgia voted *no* on the committee's compromise that passed July 16; it provided for equal representation of the states in the Senate and for proportional representation in the House of Representatives.

Georgia's role in the matter of representation was the highwater mark of the state's participation in the convention. Although represented to the end, her part in the deliberations was not particularly significant. According to Baldwin's biographer, Henry C. White, there were six "Grand Committees" in the convention, and Baldwin held membership in four of them — on the makeup of the second branch, on the assumption by the national government of the states' debts, on the slave trade and navigation acts and on matters postponed and reports of special committees not acted on. William Few was a member of the committee for the number of representatives in the first branch. Apparently, Pierce did not serve on a committee.

By using the indices of both the primary and secondary sources relating to the writing of the Constitution, some of the opinions the Georgia delegates held can be discovered; although there is no organized narrative in this method, something of the state's delegates and their concerns can be learned. Following are samples of this kind of study from one of the best known primary sources, usually referred to as *Elliott's Debates*: In convention on June 12, 1787 —



"Mr. Pierce proposed three years (for senators' terms). Seven years would raise an alarm. Great mischiefs have arisen in England from their septennial act, which was reprobated by most of their patriotic statesmen."

Further, Pierce felt that the wages of the national legislators should be paid out of the national treasury.

In convention August 22, 1787 —

"Mr. Baldwin had conceived national objects alone to be before the Convention; not such as, like the present (foreign slave trade), were of a local nature. Georgia was decided on that point . . . If left to herself, she may probably put a stop to the evil."

Indeed, Georgia and South Carolina believed that their economic interests demanded that the foreign slave trade be continued. In spite of opposition from the northern states, as well as from Maryland and Virginia, Georgia and South Carolina were unbending in the matter; thus, the Constitution forbade the federal government to interfere with it for 20 years. As it turned out, Baldwin had been correct; Georgia, on her own, outlawed the foreign slave trade in 1798.

On the resolution "That a republican constitution and its existing laws ought to be guaranteed to each state by the United States,

Mr. Houstoun was afraid of perpetuating the existing constitutions of the states. That of Georgia was a very bad one, and he hoped it would be revised and amended. It may also be difficult for the general government to decide between contending parties, each of which claim the sanctions of the constitution."

The work of the convention was completed on September 17 with the signing of the Constitution. Only Baldwin and Few signed for Georgia; however,

had Houstoun and Pierce been present, they probably would have signed also, for "In the Constitution . . . , Georgia's views were largely carried out . . ." Thus, Georgia's delegates gave their sanction to a document that was to be the supreme law of the land.

The Constitution's first article established a two-house legislative branch to be called Congress. The first house was the House of Representatives, whose members were to be apportioned among the several states according to population and were to be elected every two years by voters qualified to vote for the "most numerous branch" of their own state legislature. The second house was the Senate, made up of two senators from each state chosen by the states' legislatures. The senators were to have six-year terms; however, arrangements were made for the Senate to be a continuous body, one-third of its number being elected every two years. Congress, whose powers were specifically listed, was required to meet at least once each year.

The second article of the Constitution established the executive branch, the executive head of the nation being a President who would have extensive powers. The President was to be elected for a four-year term by an electoral college, each state having as many electors in the college as it had members in Congress.

Article III of the Constitution provided for the judicial branch and required the establishment of a Supreme Court. Congress was authorized by this article to create other federal courts as needed. All federal judges, according to Article II (the executive article), were to be appointed by the President. The fourth article dealt with the relationships between states and between their citizens, with the admission of new states, and with the protection of the states by the nation.

The fifth article provided for the amending of the Constitution; the sixth article made it clear that this new constitution was supreme law both in the states and in the nation; and, finally, the seventh



Wednesday, January the second, one thousand seven hundred and eighty-eight.

To all to whom these presents shall come, Greeting:

Whereas the form of a Constitution for the Government of the United States of America, was, on the seventeenth day of September, one thousand seven hundred and eighty-seven, agreed upon and reported to Congress by the Deputies of the said United States convened in Philadelphia; which said Constitution is written in the words following, to wit:
(Here insert the Federal Constitution.)

And Whereas the United States in Congress assembled did, on the twenty-eighth day of September, one thousand seven hundred and eighty-seven, Resolve, unanimously, That the said Report, with the Resolutions and Letter accompanying the same, be transmitted to the several Legislatures, in order to be submitted to a Convention of Delegates chosen in each State by the People thereof, in conformity to the Resolves of the Convention made and provided in that behalf:

And Whereas the Legislature of the State of Georgia did, on the twenty-sixth day of October, one thousand seven hundred and eighty-seven, in pursuance of the above recited Resolutions of Congress, Resolve, That a Convention be elected on the day of the next General Election, and in the same manner as Representatives are elected; and that the said Convention consist of not more than thirty members from each County; and that the said Convention should meet at Augusta on the fourth Tuesday in December then next; and as soon thereafter as conveniently possible to consider the said Report, Resolutions and Letter, and to adopt or reject any part or the whole thereof.

Now know Ye, That We, the Delegates of the People of the State of Georgia in Convention met, pursuant to the Resolutions of the Legislature aforesaid, having taken into our serious consideration the said Constitution; HAVE consented, ratified and adopted, and by these presents DO, in virtue of the powers and authority to Us given by the People of the said State for that purpose, for, and in behalf of ourselves and our Constituents, fully and entirely assent to, ratify and adopt the said Constitution.

Done, in Convention, at Augusta in the said State, on the second day of January, in the year of our Lord one thousand seven hundred and eighty-eight, and of the Independence of the United States the twelfth. In witness whereof we have hereunto subscribed our names.

John Wreath, President, and Delegate for the County of Richmond.

H. Stephens



article established the mode of ratification. It provided that ratification in conventions of nine states "shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same."

On October 3, two and one-half weeks after the work in Philadelphia had been finished, William Pierce sailed from New York City on the sloop *Friendship*, docking at Savannah on the tenth. He brought the first copy of the new Constitution to Georgia along with dispatches from the Continental Congress dealing with the document. A copy of the Constitution appeared in Savannah's *Gazette of the State of Georgia* on the eleventh and in Augusta's *Georgia State Gazette or Independent Register* on October 13.

The state legislature was due to begin a special session at Augusta, the state capital, on September 20, to prepare for war with the Indians. Yet, as late as October 5, Joseph Habersham, in Augusta for the meeting, wrote his wife that no majority was present but "It is very necessary at this time, as the indians are in the settlements and have drove in all the settlers (a few excepted who are in forts) to this side of Ogeechee." Two more weeks would pass before a quorum was present. While in the special session, on October 26, the legislature complied with Congress's request to provide for the election of a state convention to deal with the new Constitution. In one sense, this action partly fulfilled the purpose for the special session; in Professor Forrest McDonald's words, "the Constitution, promising national help against the Indians, was locally thought of simply as one of several measures that would provide for the defense of the state, and thus a bill calling for a ratifying convention passed without recorded debate or dissent."

The legislature decided that the convention delegates should be chosen at the next general election to be held December 4, in the same manner as the legislators were chosen—no more than three delegates were to be sent from each of the 11 counties.

Members of the executive council, the legislature or others holding state offices were to be eligible as candidates. The convention, which was ordered to assemble in Augusta on Christmas day, was charged with considering the "Report, Letter and resolutions (from Congress), and to adopt or reject any part or the whole thereof."

On December 25, the day set for convening, only eight delegates from five counties were present. The next day 12 men were present from six counties; thus, half the counties were present but the delegate strength was only a little over one-third of that authorized. The third day, December 27, was worse; four delegates from two counties were present. Apparently, nothing of any consequence was done before Friday, December 28, when 24 delegates appeared from 10 counties. As the men arrived in Augusta the editor of the *Georgia State Gazette* indicated their attitude toward the proposed Constitution by concluding "that two-thirds of the delegates appeared to be federal in sentiment, (and) predicted that all would be converted . . ."

Although 33 delegates had been authorized, no more than 29 participated. Of these, only William Few of Richmond County had been a member of the Philadelphia Convention. Other delegates, classified as "prominent" by Professor Saye, were — Governor George Mathews of Wilkes; former governors John Wereat of Richmond, Edward Telfair of Burke and Nathan Brownson of Effingham; governors-to-be George Handley of Glynn and Jared Irwin of Washington; Secretary of State John Milton and Christopher Hillary of Glynn; and James McNeil of Richmond along with Joseph Habersham and William Stephens of Chatham. The Chief Justice of Georgia, Henry Osborne, was also a delegate.

On Friday, December 28, the convention elected John Wereat to preside. Lachlan McIntosh had written to him less than two weeks before that he had heard Wereat had been elected to the convention and McIntosh wanted "to give his opinion in a



business of so high Importance to ourselves & our posterity . . . , and more especially as our Legislature have thought proper to enter upon it rather precipitately before the opinions of the other States are known." McIntosh spoke highly of the framers of the Constitution, but pointed out that they were not infallible. It seemed to him "really astonishing to see people so reluctant lately to trust (the Confederation) Congress with only 5 per Cent duties on imposts . . . & so Jealous of the Sovereignty of . . . States so eager now to yield . . . every thing . . . forever & to become the State, instead of United States of America." McIntosh's letter to Wereat did not seem to be advocating rejection of the Constitution; rather, he was advocating caution. He suggested adopting the Constitution "only for a certain period of time during which . . . a fair trial of its Effects" can be seen. Then if desirable it can be "adopt(ed) again . . . for another period . . ."

McIntosh's caution does not appear to have been typical in Georgia. Election returns for the convention delegates are available only for Chatham County, but they indicate half again the normal number turned out to vote, and the two delegates for the Constitution each got twice as many votes as the third, a man known to oppose the document. Further, in the counties more exposed to the frontier there was almost no opposition. The members of Georgia's convention had had ample time to familiarize themselves with both the federal and antifederal positions. The state's press not only carried local correspondents' debates on the subject, but the principal arguments of both sides from across the union.

Wereat and his fellow delegates obviously did not heed McIntosh's plea for caution, nor the anti-federal arguments in the press; and the convention, once the delegates arrived, got rapidly down to business. After making Wereat their president, Isaac Briggs was appointed secretary and Peter Farr doorkeeper. Committees were named to report "Rules for the Government of this Convention" and "to

wait on His Honour the Governor" for the purpose of getting from him the proposed Constitution and other communications from Congress as well as the papers "of the late General Assembly respecting the same."

The next morning, Saturday, December 29, with 10 counties and 24 delegates present, the reports of the two committees were received and after some amendments, agreed to. Then the convention proceeded to the main business — a paragraph by paragraph consideration of the Constitution. With this accomplished, it adjourned until Monday at 10 o'clock.

Twenty-five delegates and President Wereat were present when the session began on Monday; however, Franklin County was still not represented. The business of the day involved "the form of a deed of Ratification." This business was continued on Tuesday, New Year's Day, 1788, and finally finished on Wednesday, January 2, when all the delegates present signed Georgia's ratification. The *Georgia Gazette or Independent Register* of January 5 reported that "As the last name was signed to the Ratification, a party of Colonel Armstrong's regiment . . . proclaimed the joyful tidings outside the State-house by 13 discharges from two pieces of artillery." The convention adjourned until Saturday, the fifth, when a letter was prepared to the President of Congress in New York.

Augusta 5th January 1788

"Sir,

We have the honor to transmit, to the United States in Congress assembled, the Ratification of the Federal Constitution by the State of Georgia.

We hope that the ready compliance of this State, with the recommendations of Congress and of the late National Convention, will tend not only to consolidate the Union but promote the happiness of our common country."



On this last day of Georgia's Ratification Convention three delegates appeared for the first time — Thomas Gibbons of Chatham, Reubin Wilkinson of Washington and John Gorham of Franklin. None of the three signed the ratification, so Franklin was the only one of the state's 11 counties having no delegate to sign. Georgia, whose ratification had been unanimous, was the first Southern state to ratify and the fourth of the United States, having been preceded by Delaware, Pennsylvania and New Jersey.

From the time of the writing and ratification of the Federal Constitution, those who have written

about Georgia's role as an early and strong supporter of the document have claimed that the state was principally motivated by the Indian menace and exposed frontiers. This, of course, does not preclude other motivations nor does it mean that there was no opposition in Georgia. Yet, in surveying the state's history from its founding as a colony in 1733 until the ratification of the Constitution in 1788, it does seem clear that a major motivation for political action was the security of the state. And finally, therefore, it seems reasonable to conclude that Georgia's action relative to the Federal Constitution resulted from this basic need for security.

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Teacher's Guide

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The purpose of this teacher's guide is to give a possible method of teaching the unit of Georgia's role in the Constitutional Convention. This guide is written with the idea that history teaching should focus (1) on people and what motivates their actions and (2) on the there-then to the here-now concept.

Objectives

To teach the unit on Georgia's role in the writing of the United States Constitution, the teacher should focus on

1. Events leading to the Constitutional Convention.
2. The four persons who represented Georgia at the convention.
3. The basis for decision making which affects how a delegate votes in a particular way.
4. The three great areas of conflicting interests which were settled by compromises at the Constitutional Convention.
5. How Georgia's representatives voted on the three compromises.

Suggested Time Allocations

Suggested time allocations for the class's activities are

1. Background study—one day.
2. Study of the four representatives Georgia sent to the Constitutional Convention—one to two days.
3. Study of basis for decision making—one day.
4. Study of the compromises made at the Constitutional Convention—two to three days.
5. "Debriefing" activities. Analysis of why the students who participated in decision-making activities made their particular decision—one day.

Activities

1. *Events leading to the Constitutional Convention*—Through the use of the first part of this book and the information that is available in any standard United States history text, the background stage for the convention could be set. Suggestions are that this be done with some type of lecture-discussion activity.
2. *Study of the four representatives from Georgia who attended the Constitutional Convention*—The class should be divided into four groups, each group representing one of the four Georgia representatives at the convention. This might be done by any means the teacher desires, keeping in mind the advisability of having at least one student in each group who can lead in the group's activities.



- A. Study of the Georgia delegate to the convention who has been assigned to each group. Each group should try to find as much information as possible about the delegate whom they represent.
 - B. Each group should assign one member to officially be the group's representative in reporting to the entire class. This student will make a report to the class on the background information of his group's delegate. The student will also be the one who will cast the votes of the group on the constitutional issues that will be used later in the class's activities.
 - C. Each group writes a two to five minute account of the life of the representative whom the group represents.
 - D. At the designated time, the representative from each group gives "his" life's story to the entire class.
3. *Study for basis for decision making*—Through the use of either a total class discussion or small group discussions, the class should attempt to arrive at the basis on which factors affecting a delegate to a convention such as the Constitutional Convention might decide the delegate's vote. One or more of the following questions might be considered.
- (1) If the student council were making an important decision that would affect the entire student body, would the individual council member think more about how the particular decision would affect the entire student body or how the decision would affect him and his friends?
 - (2) Does a Representative in the United States House of Representatives represent his individual district, or does he represent the United States as a whole? When he votes, would he vote in favor of a bill that would be bad for his district, but good for the entire country?
 - (3) Does the United States' Ambassador at the United Nations vote in favor of what is good for the earth, or does his vote represent what is good for the United States?
 - (4) How much does the idea of the opening statement of this book, "The desire to be secure is one of the basic drives of mankind," enter into a delegate's decision-making process?
4. *Study of the compromises made at the Constitutional Convention*—A greater emphasis should be given to the Virginia Plan – New Jersey Plan with the Connecticut Compromise and a lesser emphasis given to the two compromises involving slaves.
- A. Virginia Plan – New Jersey Plan
 1. Through the use of a mini-lecture, the teacher gives the background information for the conflict.
 2. Each group discusses how its delegate should vote. The following information should be given to each group to be used as the group decides how to vote.



- Georgia (in 1787) is, in geographic size, the largest state. Georgia is as large as all the states north of the Mason and Dixon line put together.
- In 1790, only three percent of the nation's total population lived in Georgia.
- Between 1775 and 1790, Georgia's population doubled.

3. If possible, a group decision should be reached as to how the group's delegate will vote. If no group decision can be reached, the group's representative will make the decision.
4. The representative of each group gives his vote and explains to the class the reasons for this particular vote.
5. The teacher presents the ideas of the Connecticut Compromise.
6. Each group makes a decision of whether or not its delegate will vote for the Connecticut Compromise.
7. Each group's representative gives his vote and explains why this particular vote is cast.

B. Counting of slaves for representation and taxation purposes

1. Through the use of a mini-lecture the teacher presents the background ideas concerning the problem.
2. Each group discusses how its delegate will vote on each of the positions for counting slaves. The following information should be given to each group.

In 1790, Georgia's total population was 82,548. The white population was 52,886 and the black population was 29,662.

3. After each group has arrived at a decision, the group's delegate will cast the vote and explain why this vote was cast.
4. The teacher will present the ideas of the three-fifths compromise.
5. Each group decides whether or not the group will accept this compromise.
6. After each group has reached a decision, each delegate votes and explains the reasons for the particular vote.

C. Importation of slaves

1. The teacher should give a brief overview of this problem which would include the proposal for the importation of slaves for 20 years only.



2. Each group decides whether or not its delegate will vote for the acceptance of the 20-year time period for the importation of slaves.

3. The four delegates give their vote and explain why they voted as they did.

5. *Debriefing Session*—This is the most important session of the unit of study.

A. Through class discussions an analysis should be made of what the underlying reasons were for a group's decisions. These reasons should be related back to the discussion of the basis for decision making in which the class had participated earlier.

B. The unit should end with the teacher giving to the class information about how the Georgia delegates voted on these constitutional issues.

